

**IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE**

SONYA YVETTE JONES,)	
Plaintiff,)	JURY DEMAND
-vs-)	CASE NO. _____
SCOTT J. NEAL, and BLUE DIAMOND TRANSPORTATION, LLC,)	
Defendants.)	

COMPLAINT

Comes the Plaintiff, Sonya Yvette Jones, and for her cause of action would state and show as follows:

1. Plaintiff, Sonya Yvette Jones, resides in Rutherford County, Tennessee at 723 Hollandale Road, LaVergne, Tennessee 37086.

2. Defendant, Scott J. Neal, to the best of Plaintiff's knowledge, information and belief, resides in the State of North Carolina at 1334 Old Salisbury Road, Statesville, N.C. 28625. His last known telephone number is 336-929-2248.

At the time of this crash, Defendant Scott J. Neal, was driving a 2012 Freightliner bearing Florida license plate, owned and/or leased by Defendant, Blue Diamond Transportation, LLC, with principal offices at 804 Kilgore Road, Plant City, Florida 33567 and telephone number of 1-813-754-3956. Blue Diamond Transportation is a Florida limited liability corporation and may be served through its registered agent, Attorney Calvit Michael Tesguire at 652 Azalea Lane, Vero Beach, Florida 32963 and telephone number 772-231-2889.

3. The accident which is the basis of this action occurred in Davidson County, Tennessee and, therefore, the proper jurisdiction and venue for this action is Davidson County, Tennessee.

4. The late afternoon of Saturday, September 12, 2020, at approximately 4:50 p.m., Plaintiff, Sonya Yvette Jones, driving a 2013 Infiniti bearing Tennessee license plate, was exiting the I24 exit ramp to turn west onto Spring Street in Nashville, Davidson County, Tennessee. At the same time, the Defendant, Scott J. Neal, driving a vehicle owned and/or leased by Blue



Diamond Transportation, LLC, was also exiting I24 West attempting to turn left onto Spring Street and recklessly swerved over into the lane occupied by Plaintiff Sonya Yvette Jones, pushing her vehicle off the roadway causing a significant collision. Mr. Jones sustained serious and painful injuries and her vehicle was damaged. Ms. Jones was transported via ambulance to Centennial Medical Center.

5. Plaintiff avers that the aforesaid accident and damages sustained by Plaintiff were the direct and proximate result of one and/or more of the following common law acts of negligence by Defendant:

- (1) Defendant driver failed to keep a proper lookout ahead in the direction in which he was traveling;
- (2) Defendant driver failed to maintain the vehicle which he was operating under due and proper control;
- (3) Defendant driver negligently drove his vehicle into Plaintiff's vehicle;
- (4) Defendant driver failed to use due care under the circumstances.
- (5) Defendant driver failed to see that which was there to be seen and take proper action with respect thereto;
- (6) Defendant driver failed to maintain his vehicle within a single lane of travel and moving the same from one lane of travel to the other without first ascertaining that said movement could be made in safety, which action on the part of the defendant constituted a violation of T.C.A. §55-8-123;
- (7) Defendant driver failed to yield the right-of-way to Plaintiff's vehicle in violation of T.C.A. §55-8-128;
- (8) Defendant driver drove his vehicle in willful and wanton disregard for the safety of persons' property in violation of T.C.A. §55-10-205;
- (9) Defendant driver failed to apply his brakes, or his brakes were improperly adjusted, or he did not begin to apply his brakes in time to avoid this mishap.

6. Plaintiff avers that at the time of said collision, Defendant Scott J. Neal was operating a vehicle owned and/or leased and maintained by Blue Diamond Transportation, LLC,

as agent and/or employee for and upon the business of Defendant Blue Diamond Transportation, LLC, and the negligence of the Defendant Scott J. Neal is imputed to the Defendant Blue Diamond Transportation, LLC for negligent entrustment by negligently entrusting this vehicle to Defendant Scott J. Neal, within the purview of Respondeat Superior.

7. As a proximate and direct result of the Defendant's negligence, the Plaintiff Sonya Yvette Jones sustained damage to her vehicle necessitating its repair at expense to the Plaintiff and further lost the use of the vehicle for a period of time.

8. As a result of Defendants' negligence, Plaintiff Sonya Yvette Jones has sustained severe and painful injuries, and has incurred expenditures and obligations for medical and hospital care and attention, and Plaintiff is informed and believes, and on such information and belief alleges that it will be necessary for her in the future to expend further sums for medical care and attention, the exact amount of all such expenses and obligation to be incurred by Plaintiff is to be determined. Further, as a result of Defendants' negligence, Plaintiff has been unable to perform many of the duties she was once able to perform with ease and has sustained a loss of enjoyment of life as a result of the above-mentioned mishap, all of which is continuing.

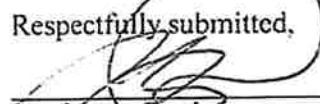
WHEREFORE, Plaintiff prays:

1. For service of process to issue requiring the Defendants to answer within the time prescribed by law, but oath to their answer is hereby waived.

2. For an award of judgment damages against the Defendants in an amount which the trier of fact finds is fair and reasonable, in dollars of the United States, under the facts and circumstances of this case for the property damage and personal injuries suffered by the Plaintiff as the proximate result of the negligence of the Defendants.

3. For such other, further and general relief to which the Plaintiff may be entitled.

Respectfully submitted,


Stanley A. Davis
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BPR #18618

Service ID

**STATE OF TENNESSEE
DAVIDSON COUNTY
20TH JUDICIAL DISTRICT**

SONYA YVETTE JONES

CIVIL ACTION
DOCKET NO. 21C394
Method of Service:
Secretary of State

Plaintiff

vs.

BLUE DIAMOND TRANSPORTATION LLC
SERVE ATTY CALVIT M. TESGUIRE
652 AZALEA LANE
VERO BEACH, FL 32963

Defendant

RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify and return, that on the _____ day of _____, 20____, I sent, postage prepaid by registered return receipt mail or certified return receipt mail, a certified copy of the Summons and a copy of the Complaint/Petition in Docket No. 21C394 to the Defendant, BLUE DIAMOND TRANSPORTATION LLC . On the _____ day of _____, 20____, I received the return receipt for said registered or certified mail, which had been signed by _____ on the _____ day of _____, 20____. Said return receipt is filed with the original Summons Return and both documents are being sent herewith to the Circuit Court Clerk for filing.

SWORN TO AND SUBSCRIBED BEFORE ME, ON THIS

DAY OF _____, 20____.

PLAINTIFF, PLAINTIFF'S ATTORNEY or OTHER PERSON
AUTHORIZED BY STATUTE TO SERVE PROCESS

NOTARY PUBLIC or DEPUTY CLERK

MY COMMISSION EXPIRES: _____



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